

ZB# 03-46

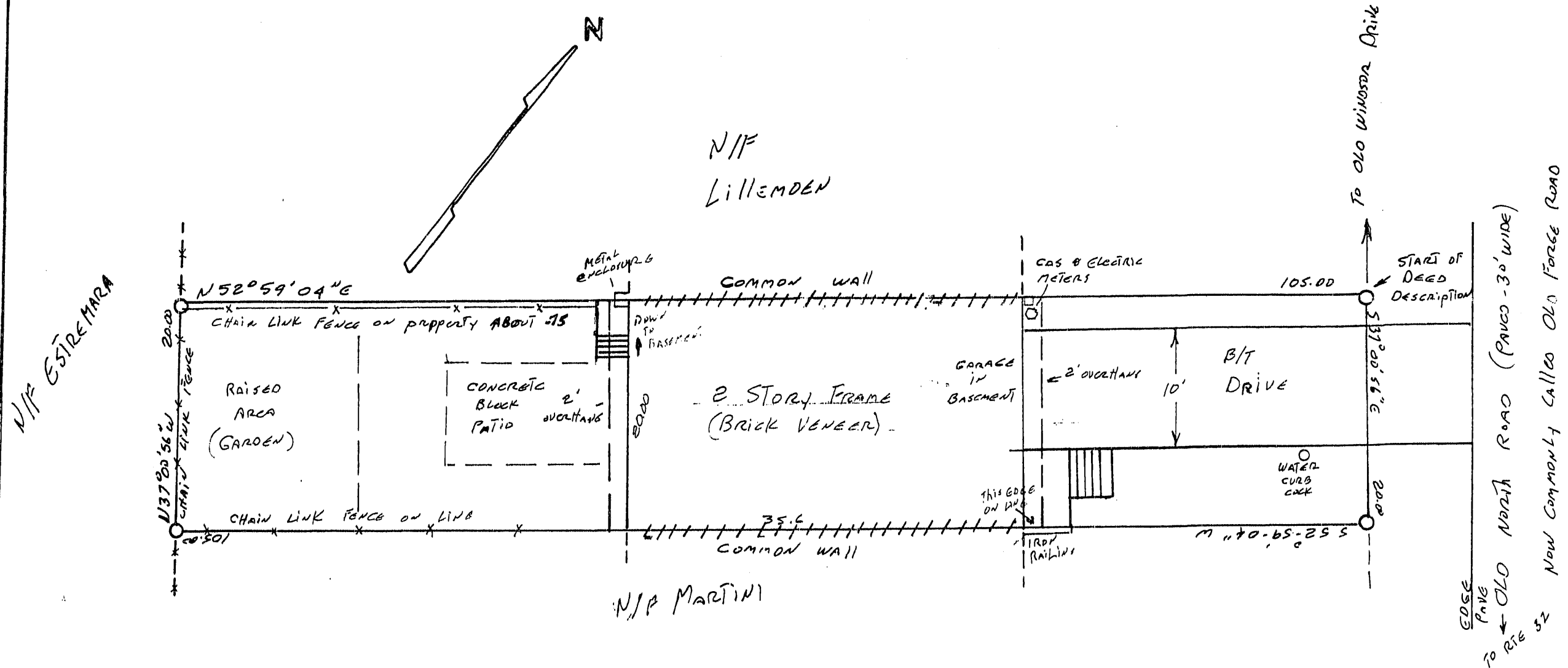
Luis Maisonet

71-1-6

ZBA #03-46 LUIS MAISONET (AREA)
409 OLD FORGE HILL RD (71-1-6)

ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR
555 UNION AVENUE
NEW WINDSOR, N.Y. 12553

Granted 10-27-03



SURVEY OF LANDS OF
JOHN DUNSTAN AND ALMA DUNSTON
TO BE CONVEYED TO

LUIS ROSADO MAISONET AND JEANINE ROSADO MAISONET

LOCATED IN THE TOWN OF NEW WINDSOR, COUNTY OF ORANGE, STATE OF NEW YORK
 TAX NO 4800-71-01-06. A.K.A. 343 OLD FORCE HILL ROAD.
 BEING PARTS OF LOTS 59 AND 58 IN BLOCK 'A' ON A MAP OF "OLD WINDSOR ESTATES" MADE BY
 HENRY HOROWITZ P.E., DATED APRIL 20, 1965 AND FILED IN THE ORANGE COUNTY CLERK'S OFFICE AS P.M. 2172.

CERTIFIED TO:	
1.	LUIS ROSADO MAISONET
2.	JEANINE ROSADO MAISONET
3.	MARINE MIDLAND BANK N.A.
4.	FIRST AMERICAN TITLE INSURANCE COMPANY OF N.Y.
5.	JOHN DUNSTAN
6.	ALMA DUNSTAN

**OFFICE OF THE BUILDING INSPECTOR
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK**

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

**APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT (845) 563-4630 TO
MAKE AN APPOINTMENT WITH THE ZONING BOARD OF APPEALS.**

DATE: September 2, 2003

Revised: September 24, 2003

**APPLICANT: Luis Rosado Maisonet
409 Old Forge Hill Rd
New Windsor, NY 12553**

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: August 14, 2003

FOR : Proposed 12 x 12 Attached Rear Deck

LOCATED AT: 409 Old Forge Hill Rd

ZONE: R-5 Sec/Blk/ Lot: 71-1-6

DESCRIPTION OF EXISTING SITE: Proposed Attached Rear Deck

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

- 1. Proposed 12 x 12 attached rear deck will not meet minimum side and rear yard setbacks.**


BUILDING INSPECTOR

COPY

PERMITTED

PROPOSED OR
AVAILABLE:

VARIANCE
REQUEST:

ZONE: **R-5** USE: **7-F 7-G**

MIN LOT AREA:

MIN LOT WIDTH:

REQ'D FRONT YD:

REQ'D SIDE YD:	35'	56"	30'4"
	35'	2'	33'

REQ'D TOTAL SIDE TD:

REQ'D REAR YD:	100'	17'	83'
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REQ'D FRONTAGE:

MAX BLDG HT:

FLOOR AREA RATIO:

MIN LIVABLE AREA:

DEV COVERAGE:

cc: Z.B.A., APPLICANT, FILE, W/ ATTACHED MAP

APPROVED
10-27-03

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS
IMPORTANT
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and underslab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and percolation test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and there is no fee for this.

RECEIVED

AUG 14 2003

BUILDING DEPARTMENT

FOR OFFICE USE ONLY:
Building Permit #: 2803-1027

AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS REQUIRED BEFORE THE BUILDING PERMIT APPLICATION WILL BE ACCEPTED AND/OR ISSUED

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises LUIS & JEANINE ROSADO-MAISONET

Address 409 Old Forge Hill Rd. New Windsor Phone # (845) 562-1301

Mailing Address SAME AS ABOVE Fax # NONE

Name of Architect NONE

Address _____ Phone _____

Name of Contractor SELF

Address _____ Phone _____

State whether applicant is owner, lessee, agent, architect, engineer or builder Owner

If applicant is a corporation, signature of duly authorized officer _____

(Name and title of corporate officer)

1. On what street is property located? On the SW side of Old Forge Hill Rd.
(N, S, E or W)
and _____ feet from the intersection of _____
2. Zone or use district in which premises are situated Residential Is property a flood zone? Y NO
3. Tax Map Description: Section 71 Block 1 Lot 6
4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.
a. Existing use and occupancy ONE FAMILY HOUSE ^{Town House} b. Intended use and occupancy Residency
5. Nature of work (check if applicable) ☐ New Bldg. ☒ Addition ☐ Alteration ☐ Repair ☐ Removal ☐ Demolition ☐ Other
6. Is this a corner lot? NO
7. Dimensions of entire new construction. Front 12' Rear 12' Depth 12' Height 46'' No. of stories 1
8. If dwelling, number of dwelling units: ONE Number of dwelling units on each floor ONE
Number of bedrooms 3 Baths 1 Toilets 2 Heating Plant: Gas GAS Oil _____
Electric/Hot Air _____ Hot Water _____ If Garage, number of cars 1
9. If business, commercial or mixed occupancy, specify nature and extent of each type of use _____

10. Estimated cost \$1500.00

Fee \$50.00

Cash

PAID

____/____/____
date

APPLICATION FOR BUILDING PERMIT
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK
Pursuant to New York State Building Code and Town Ordinances

Building Inspector: Michael L. Babcock
Asst. Inspectors: Frank Liel & Louis Kryshear
New Windsor Town Hall
855 Union Avenue
New Windsor, New York 12553
(845) 563-4618
(845) 563-4695 FAX

Bldg Insp Examined _____
Fire Insp Examined _____
Approved _____
Disapproved _____
Permit No. _____

INSTRUCTIONS

- This application must be completely filled in by typewriter or in ink and submitted to the Building Inspector.
- Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram, which is part of this application.
- This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- The work covered by this application may not be commenced before the issuance of a Building Permit.
- Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, place or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

Luis Pardo-Murphy
(Signature of Applicant)

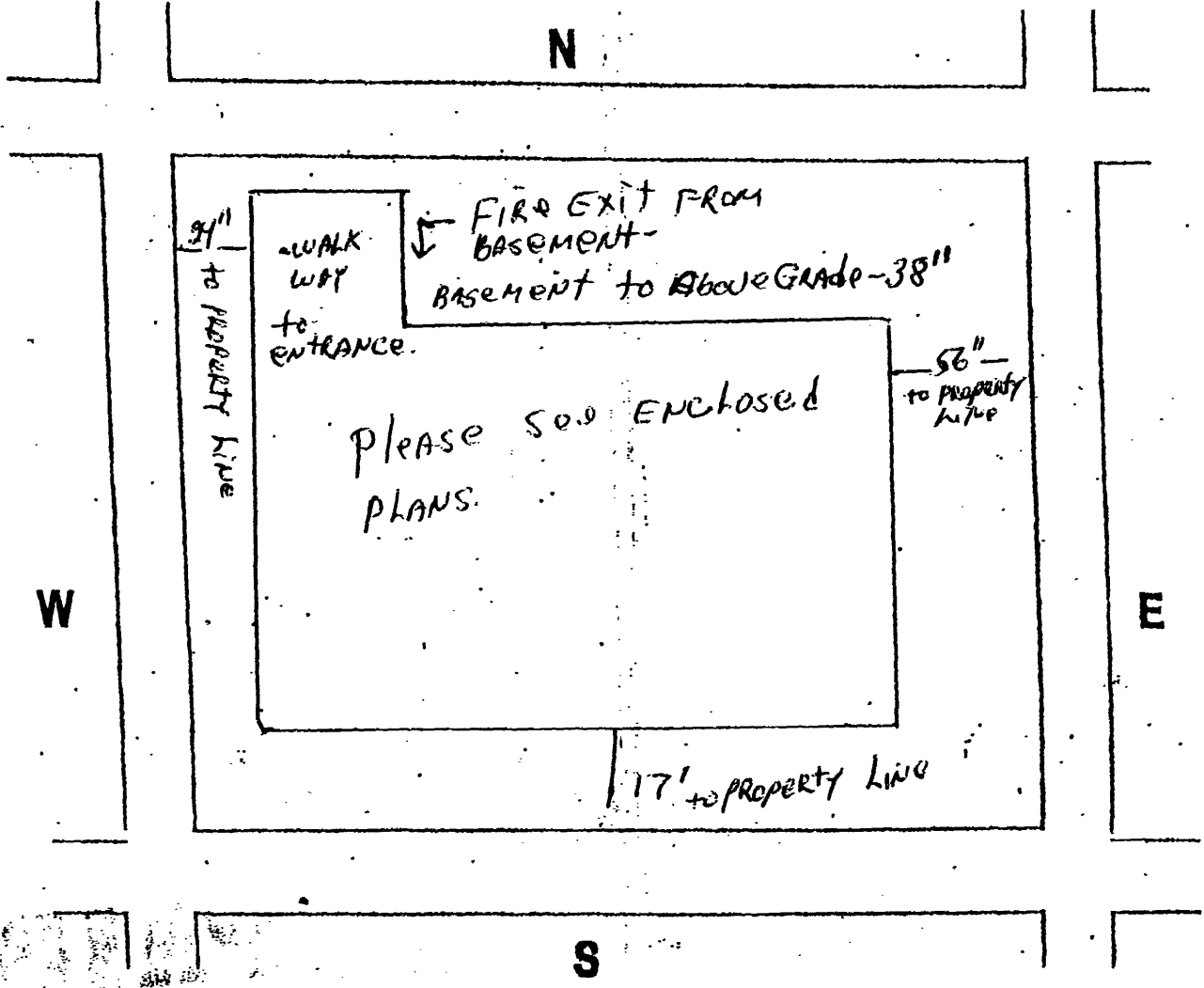
Luis Pardo-Murphy
(Owner's Signature)

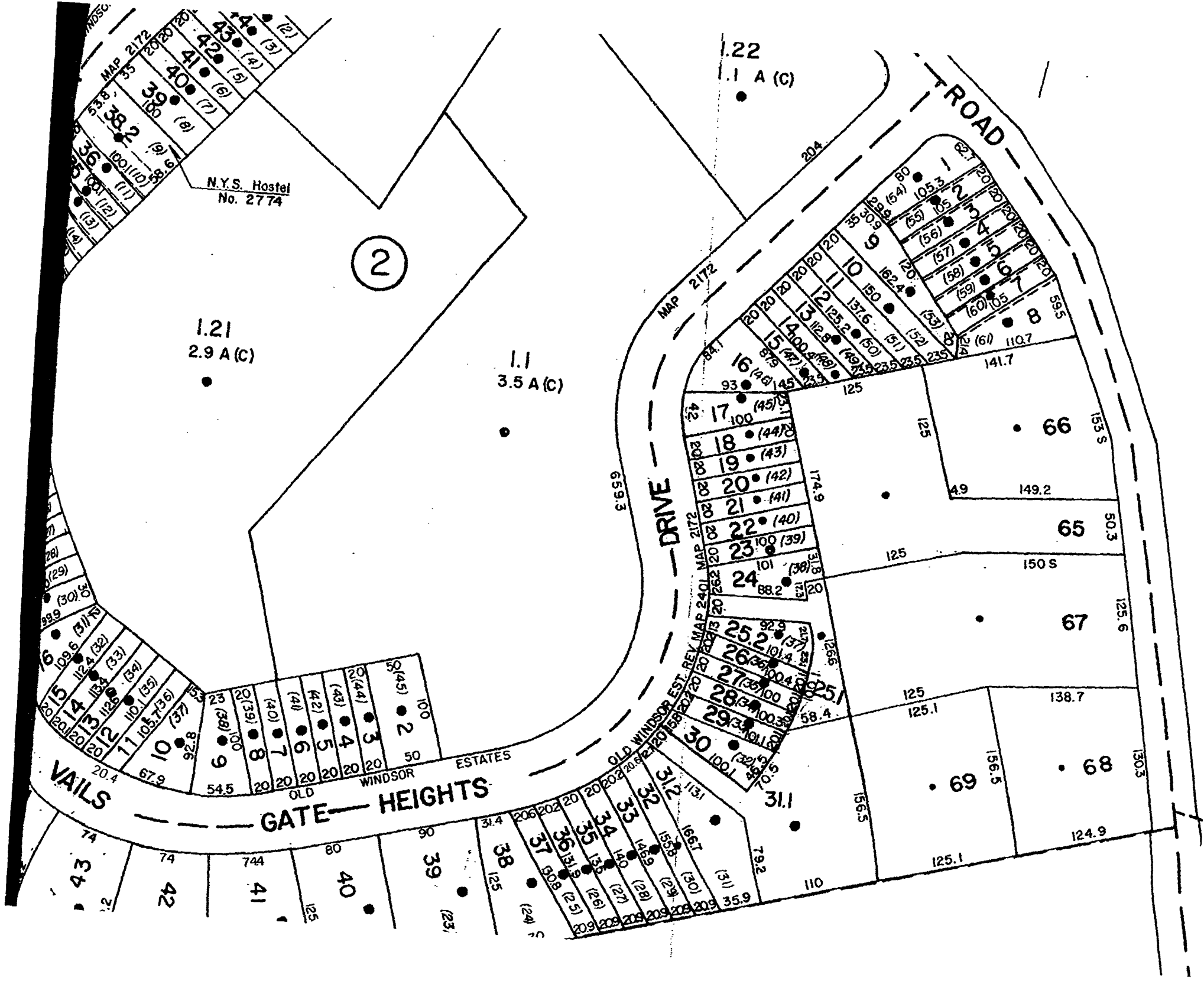
409 Old Forge Hill Rd.
New Windsor, N.Y. 12553
(Address of Applicant)

SAME AS ABOVE

PLOT PLAN

NOTE: Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.





N.Y.S. Hostel
No. 2774

2

1.21
2.9 A (C)

1.1
3.5 A (C)

.22
.1 A (C)

ROAD

DRIVE

GATE — HEIGHTS

ESTATES

WINDSOR

OLD WINDSOR EST.

REV. MAR 2401

VALES

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SCHEDULE A

Title No. 233

ALL that certain lot, piece or parcel of land, situate in the Town of New Windsor, County of Orange, State of New York, shown and designated as parts of lot 59 and 58 in Block A, on a certain map entitled "Old Windsor Estates, Town of New Windsor, Orange County, N.Y.", dated April 20, 1965 made by Henry Horowitz, filed in the office of the Clerk of Orange County on December 3, 1965, in Book 4, page 40, as Map No. 2172, and being more accurately bounded and described as follows:

BEGINNING at a point on the southwesterly side of Old North Road, said point of beginning being located the following courses and distances from a point of curvature, said point of curvature being the easterly end of the curve which connects the southwesterly line of Old North Road with the southerly line of a proposed road leading into Old Windsor Estates Subdivision, named Old Windsor Drive on said map, S. 47-21-24 E. 22.76 feet and S. 37-00-56 E. 80.67 feet; thence from said point of beginning and along the southwesterly line of Old North Road, S. 37-00-56 East 20.0 feet to a point; thence through lands of Old Windsor Estates on the next three courses and distances; S. 52-59-04 West, part of the distance through a party wall, 105.0 feet to a point; thence N. 37-00-56 West 20.0 feet to a point; thence N. 52-59-04 East, part of the distance through a party wall, 105.0 feet to the southwesterly side of Old North Road to the point of beginning.

BEING the same premises described in a deed from Ada G. Margolin to John Dunston and Alma Dunston dated April 18, 1975 and recorded in the Orange County Clerk's Office on April 18, 1975 in Liber 2005 of Deeds at page 444.

BEING the same premises described in a deed from John Dunston and Alma Dunston to Luis Rosado-Maisonet and Jeanine Rosado-Maisonet dated this day and intended to be recorded in the Orange County Clerk's Office simultaneously herewith.

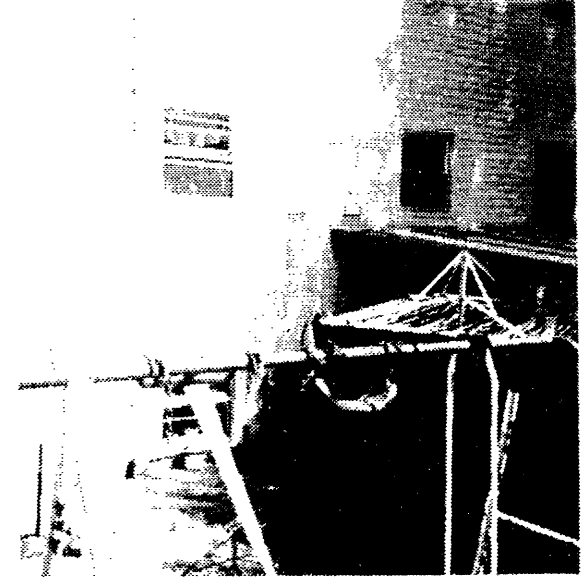
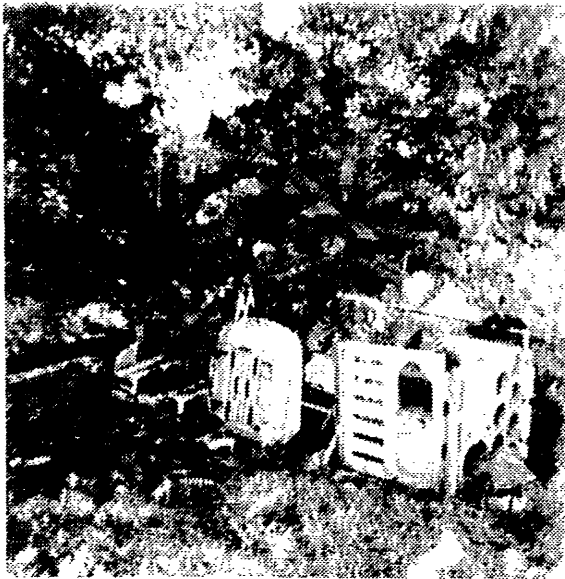
+ The premises herein described are or will be improved by a one or two family dwelling only.

This is a first purchase money mortgage.

INITIAL HERE

Sh

LIBER 2648 PAGE 63







Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4695

OFFICE OF THE ZONING BOARD OF APPEALS

January 8, 2004

Mr. Luis Rosado Maisonet (or Present Owner of)
409 Old Forge Hill Road
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE #03-46

Dear Mr. Maisonet (or Present Owner):

Please find enclosed two copies of the Formal Decision for your case before the Zoning Board of Appeals. Please keep these copies in your records for future reference if needed.

If you are in need of any further assistance or have any questions in this matter, please feel free to contact me at the above number.

Very truly yours,

Myra Mason, Secretary to the
NEW WINDSOR ZONING BOARD

MLM:mlm

cc: Michael Babcock, Building Inspector

NEW WINDSOR ZONING BOARD OF APPEALS

SBL: 71-1-6

In the Matter of the Application of

MEMORANDUM OF
DECISION GRANTING

LUIS ROSATO MAISONET

AREA

CASE #03-46

WHEREAS, Mr. Luis Rosato Maisonet, owner(s) of 409 Old Forge Hill Road, New Windsor, New York, 12553, has made application before the Zoning Board of Appeals for a/an 33 ft. & 30 ft. 4 in Side Yard Setback & 83 ft. Rear Yard Setback for proposed deck; and

WHEREAS, a public hearing was held on October 27, 2003 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, the Applicant appeared on behalf of this Application; and

WHEREAS, there were no spectators appearing at the public hearing; and

WHEREAS, no one spoke in favor of or in opposition to the Application; and

WHEREAS, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Sentinel, also as required by law.
2. The Evidence presented by the Applicant showed that:
 - (a) The property is a residential property located within a neighborhood of residential properties.
 - (b) The proposed deck will be similar in size and appearance to other decks in the neighborhood.
 - (c) The deck will not create any water hazards or runoffs, the ponding or collection of water or divert the flow of water drainage.

- (d) The applicant will not remove any trees or substantial vegetation in constructing the deck.
- (e) The deck is adjacent to an exitway from the house. Without the deck, a person exiting the house would be likely to sustain serious physical injury.

WHEREAS, The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The requested variance(s) will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.
2. There is no other feasible method available to the Applicant that can produce the benefits sought.
3. The variance(s) requested are substantial in relation to the Town regulations but, nevertheless, are warranted.
4. The requested variance(s) will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.
5. The difficulty the Applicant faces in conforming to the bulk regulations is self-created but, nevertheless, should be allowed.
6. The benefit to the Applicant, if the requested variance(s) are granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community.
7. The requested variance(s) are/is appropriate and are/is the minimum variance(s) necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.
8. The interests of justice will be served by allowing the granting of the requested area variance(s).

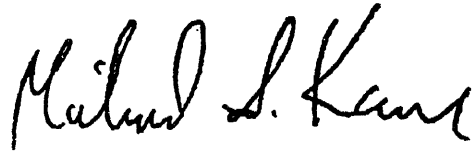
NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a 33 ft. & 30 ft. 4 in Side Yard Setback & 83 ft. Rear Yard Setback for proposed deck as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and/or Building Inspector and Applicant.

Dated: October 27, 2003

A handwritten signature in black ink, reading "Michael S. Kane". The signature is written in a cursive style with a large initial "M".

Chairman

**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS
OFFICE
845-563-4615**

MEMORANDUM

TO: LARRY REIS, COMPTROLLER
FROM: MYRA MASON, SECRETARY TO THE ZONING BOARD
DATE: NOVEMBER 14, 2003
SUBJECT: ESCROW REFUND (03-46)

**PLEASE ISSUE A CHECK IN THE AMOUNT OF \$ 198.50 TO CLOSE OUT
ESCROW FOR:**

ZBA FILE #03-46

NAME & ADDRESS:

**LUIS ROSADO MAISONET
409 OLD FORGE HILL ROAD
NEW WINDSOR, NY 12553**

THANK YOU,

MYRA

L.R. 11-14-03



**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS
RECORD OF CHARGES & PAYMENTS**



FILE #03-46 TYPE: AREA

APPLICANT:
LUIS ROSADO MAISONET

TELEPHONE: 562-1301

RESIDENTIAL:	\$ 50.00	CHECK #1416
COMMERCIAL	\$ 150.00	CHECK # _____
INTERPRETATION	\$ 150.00	CHECK # _____

ESCROW: RESIDENTIAL \$300.00 CHECK #1415

* * * * * * * * * * * * *

<u>DISBURSEMENTS:</u>		<u>MINUTES</u> <u>\$4.50 / PAGE</u>	<u>ATTORNEY</u> <u>FEE</u>
PRELIMINARY:	<u>4</u> PAGES	\$ <u>18.00</u>	\$ <u>35.00</u>
2 ND PRELIMINARY:	<u> </u> PAGES	\$ <u> </u>	\$ <u> </u>
PUBLIC HEARING:	<u>3</u> PAGES	\$ <u>13.50</u>	\$ <u>35.00</u>
PUBLIC HEARING:	<u> </u> PAGES	\$ <u> </u>	\$ <u> </u>
TOTAL:		\$ <u>31.50</u>	\$ <u>70.00</u>

* * * * * * * * * * * * *

ESCROW POSTED: \$ 300.00
LESS: DISBURSEMENTS: \$ 101.50

AMOUNT DUE: \$ _____

REFUND DUE: \$ 198.50

L.R. 11-14-03

LUIS ROSATO MAISONET (#03-46)

MR. KANE: Request for 33 ft. side yard and 83 ft. rear yard setbacks for proposed deck at 409 Old Forge Hill Road in an R-5 zone.

Mr. Luis Maisonet appeared before the board for this proposal.

MR. KANE: This is.

MR. MAISONET: The is the house, this is the deck I want to build, these are the steps that I'm going up from the house to the back yard.

MR. KANE: Okay. What's the actual size of the deck that you're proposing to build?

MR. MAISONET: 12 by 12 plus the aprons.

MR. KANE: Is that similar in size to other decks in your neighborhood?

MR. MAISONET: I think three decks.

MR. KANE: There are three decks and this is similar in size to those?

MR. MAISONET: Pardon?

MR. KANE: Similar in size?

MR. MAISONET: Some of them are 16, yes.

MR. BABCOCK: Just to clear the record, this deck is an L-shaped deck, one side is 17 foot long and the other side is 12, so it's not 12 x 12.

MR. KANE: Thank you, Michael.

MR. MINUTA: Can you rotate that?

MR. REIS: Beautiful.

MR. MAISONET: Thank you.

MR. KANE: Will you be cutting down any trees?

MR. MAISONET: No, sir.

MR. KANE: Cutting down any substantial trees?

MR. MAISONET: Where we live, I've got I think five houses to the right of my house and two houses to the left, each one have their own yard or fencing and each one, you know, they keep their own way, they've got trees all over the place but not--

MR. KANE: You won't be creating any water hazards or runoffs by building the deck?

MR. MAISONET: No, sir no, sir, that's all I need.

MR. KANE: Questions I have to ask. Are you going over any easements? Is there any easements through your property?

MR. MAISONET: What easement means?

MR. KANE: Right-of-way?

MR. MAISONET: No, sir, this is in the back of the house, nothing but a forest right there looks like.

MR. MINUTA: The shape of the deck, is this why you've done it this way, is that for design purposes only or is there a requirement with the stairs below?

MR. MAISONET: I do that because my hobby is doll houses, so I get an idea from doll houses.

MR. KRIEGER: How do you get your water?

MR. KANE: Do you have town water and sewer, your water?

MR. MAISONET: It's in the front of the house.

MR. KRIEGER: Get it from the town or from a well?

MR. KANE: Do you have a well?

MR. MAISONET: No, sir.

MR. KRIEGER: In the front of the house it comes in?

MR. MAISONET: Front of the house.

MR. KRIEGER: How about sewer, where is the sewer?

MR. KANE: Town sewer or do you have septic?

MR. MAISONET: No, town for all services.

MR. KRIEGER: Also in front of the house?

MR. KANE: Front of the house?

MR. MAISONET: In front, everything in front.

MR. KANE: Thank you. Anymore questions?

MR. REIS: No.

MR. KANE: This is a preliminary hearing, so we get some information here and we'll set you up for a public hearing, you'll come back and we'll redo this again for the record. Okay, sir?

MR. MAISONET: All right, thank you very much.

MR. KANE: I'll accept a motion.

MR. MINUTA: Accept a motion?

MR. KANE: Yes, I will.

MR. MINUTA: I propose that we grant a public hearing for Mr. Luis Maisonet for a requested 33 ft. side yard and 83 ft. rear yard setbacks for proposed deck at 409 Old Forge Hill Road.

ROLL CALL

MR. REIS	AYE
MR. MINUTA	AYE
MR. RIVERA	AYE
MR. KANE	AYE

MR. KANE: Mike, on your notice of disapproval, it has 12 x 12, you don't need to add anything further for the stairway, see on the front?

MR. BABCOCK: No, that's okay, the plan goes with it, I just wanted to make sure that you gentlemen were aware that it was longer on one side for the entrance.

MR. KANE: I just want to make sure it's okay with the paperwork.

LUIS ROSATO MAISONET (#03-46)

Mr. Luis Maisonet appeared before the board for this proposal.

MR. KANE: Request for 33 ft. & 30 ft. 4 in. side yard setback & 83 ft. rear yard setback (Use 7-F, 7-G) for proposed deck at 409 Old Forge Hill Road in an R-5 zone. You didn't bring your visual display today?

MR. MAISONET: I've got it in the car.

MR. KANE: It was very good.

MR. MAISONET: Thank you.

MR. KANE: Tell us what you want to do, same thing as the preliminary hearing.

MR. MAISONET: I want to build a deck so it will be easier for us to leave the house, we have activities at the house like barbecues. Because the way we live now, we have to go across the hallway, downstairs, back upstairs, by the time you get there with all the food and everything you're tired, you don't feel like eating no more.

MR. BABCOCK: And it's cold.

MR. KANE: Approximately a 12 x 12 deck, is that similar in size to other decks in your neighborhood? Your deck is about the same size as other decks, not overly big?

MR. MAISONET: No, no, it's about the same.

MR. KANE: You won't be creating any water hazards or runoffs?

MR. MAISONET: No, sir.

MR. KANE: Cutting down of any trees or substantial vegetation?

MR. MAISONET: No, just have to go four inches with.

cement to make a patio.

MR. KANE: Any easements through your yard?

MR. MAISONET: No, sir.

MR. KANE: Is there any doorway coming out of your home to this deck, going to be a door coming out to the deck from the house?

MR. MAISONET: Yes, from the basement, yes.

MR. KANE: Gentlemen, do you have any other questions?

MR. MAISONET: No, sir.

MR. REIS: No.

MR. MINUTA: No.

MR. KANE: I'll take a motion. For the record, is there anybody here from the public to speak on this application? Seeing there is not, I will open and close the public hearing. How many mailings?

MS. MASON: On the 30th of September, 41 addressed envelopes containing the notice of public hearing were mailed out with no responses.

MR. KANE: Mike?

MR. REIS: Accept a motion?

MR. KANE: Yes, I will.

MR. MINUTA: Motion that we grant the request for Mr. Luis Maisonet for 33 foot by 30 foot 4 inch side yard setback and 83 foot rear yard setback for the proposed deck on 409 Old Forge Hill Road in a R-4 zone.

ROLL CALL

MR. REIS	AYE
MR. MINUTA	AYE
MR. RIVERA	AYE

October 27, 2003

37

MR. MC DONALD
MR. KANE

AYE
AYE

RESULTS OF Z.B.A. MEETING OF: October 2, 2003

PROJECT: Luis Maisonet ZBA # 03-46
P.B.#

USE VARIANCE: **NEED: EAF** _____ **PROXY** _____

LEAD AGENCY: M) _____ S) _____ VOTE: A _____ N _____
 RIVERA _____
 MCDONALD _____ CARRIED: Y _____ N _____
 REIS _____
 MINUTA _____
 KANE _____

NEGATIVE DEC: M)_____S)_____ VOTE: A____N____
RIVERA _____
MCDONALD _____ CARRIED: Y____N____
REIS _____
MINUTA _____
KANE _____

PUBLIC HEARING: M)_____ S)_____ VOTE: A_____ N_____
RIVERA _____
MCDONALD _____ CARRIED: Y_____ N_____
REIS _____
MINUTA _____
KANE _____

APPROVED: M)____S)____ VOTE: A____ N____
 RIVERA _____
 MCDONALD _____ CARRIED: Y____ N____
 REIS _____
 MINUTA _____
 KANE _____

ALL VARIANCES - PRELIMINARY APPEARANCE:

SCHEDULE PUBLIC HEARING: M)_____ S)_____ VOTE: A_____ N_____

RIVERA _____

MCDONALD _____

REIS _____

MINUTA _____

KANE _____

CARRIED: Y_____ N_____

PUBLIC HEARING: STATEMENT OF MAILING READ INTO MINUTES ✓

VARIANCE APPROVED: M) MW S) RS VOTE: A 5 N 0.

RIVERA	<u>A</u>
MC DONALD	<u>A</u>
REIS	<u>A</u>
MINUTA	<u>A</u>
KANE	<u>A</u>

CARRIED: Y_____N_____.

[illegible]

**ZONING BOARD OF APPEALS: TOWN OF NEW WINDSOR
COUNTY OF ORANGE: STATE OF NEW YORK**

-----X

In the Matter of the Application for Variance of

LUIS ROSADO MAISONET

AFFIDAVIT OF
SERVICE
BY MAIL

#03-46

----- X

STATE OF NEW YORK)

) SS:

COUNTY OF ORANGE)

MYRA L. MASON, being duly sworn, deposes and says:

That I am not a party to the action, am over 18 years of age and reside at 67 Bethlehem Road, New Windsor, NY 12553.

That on the 30TH day of **SEPTEMBER**, 2003, I compared the 41 addressed envelopes containing the Public Hearing Notice pertinent to this case with the certified list provided by the Assessor's Office regarding the above application for a variance and I find that the addresses are identical to the list received. I then placed the envelopes in a U.S. Depository within the Town of New Windsor.

Sworn to before me this

Myra L. Mason
Myra L. Mason, Secretary

30th day of September, 2003

J. F. MacGallagher
Notary Public

JENNIFER MEAD
Notary Public, State Of New York
No. 01ME6050024
Qualified In Orange County
Commission Expires 10/30/ 2006

PUBLIC HEARING NOTICE
ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing pursuant to Section 48-34A of the Zoning Local Law on the following Proposition:

Appeal No. 03-46

Request of LUIS ROSADO MAISONET

for a VARIANCE of the Zoning Local Law to Permit:

Request for 33 ft. & 30ft 4 inch Side Yard Setback and an 83 ft. Rear Yard Setback for proposed deck

being a VARIANCE of Section R-5 BULK TABLES 7-F 7-G

for property located at: 409 OLD FORGE HILL ROAD - NEW WINDSOR, NY

known and designated as tax map Section 71 Block 1 Lot 6

**PUBLIC HEARING will take place on OCTOBER 27TH, 2003
at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York
beginning at 7:30 P.M.**


Michael Kane, Chairman



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4631
Fax: (845) 563-4693

Assessor's Office

September 24, 2003

Luis Rosado Maisonet
409 Old Forge Hill Road
New Windsor, NY 12553

Re: 71-1-6 ZBA#03-46

Dear Mr. Maisonet:

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced property.

The charge for this service is \$65.00, minus your deposit of \$25.00.

Please remit the balance of \$40.00 to the Town Clerk's Office.

Sincerely,

J. Todd Wiley, IAO
Sole Assessor

JTW/baw
Attachments

CC: Myra Mason, ZBA

35-1-61

Newburgh Enlarge School District
C/o E. Philips
124 Grand Street
Newburgh, NY 12550

35-1-115; 35-1-116

GLO Development Corp.
7 Garfield Road
Monroe, NY 10950

71-1-1

Catherine & John Encke
419 Old Forge Hill Rd
New Windsor, NY 12553

71-1-2

Yang Ying Qi
P.O. Box 188
Vails Gate, NY 12584

71-1-3

Roseanna & Alfred Ruger Sr.
415 Old Forge Hill Rd
New Windsor, NY 12553

71-1-4

Amadika Harris & Dorothy Huffman
413 Old Forge Hill Rd
New Windsor, NY 12553

71-1-5

Michael & Sheila Brock
411 Old Forge Hill Rd
New Windsor, NY 12553

71-1-7

Irma Martini
407 Old Forge Hill Rd
New Windsor, NY 12553

71-1-8

Betty Lawrence
405 Old Forge Hill Rd
New Windsor, NY 12553

71-1-9

Rose Karpinski
21 Vails Gate Heights Drive
New Windsor, NY 12553

71-1-10

Sonnie & Diana Warshaw
23 Vails Gate Heights Drive
New Windsor, NY 12553

71-1-11

Ronald & Marie Perry
25 Vails Gate Heights Drive
New Windsor, NY 12553

71-1-12

Barbara Levy
27 Vails Gate Heights Drive
New Windsor, NY 12553

71-1-13

Annette Ziegler
29 Vails Gate Heights Drive
New Windsor, NY 12553

71-1-14

David Borrero
31 Vails Gate Heights Drive
New Windsor, NY 12553

71-1-15

Steven & Ronni Warshaw
33 Vails Gate Heights Drive
New Windsor, NY 12553

71-1-16

Raymond & Grace Skopin
35 Vails Gate Heights Drive
New Windsor, NY 12553

71-1-17

Vincent & Gertrude Schmidt
37 Vails Gate Heights Drive
New Windsor, NY 12553

71-1-18

Thelma Zelkind
39 Vails Gate Heights Drive
New Windsor, NY 12553

71-1-19

Stephen & Annelie Coyle
41 Vails Gate Heights Drive
New Windsor, NY 12553

71-1-20

Meredith Elaine Baker
43 Vails Gate Heights Drive
New Windsor, NY 12553

71-1-21

Martin & Frances Shapiro
45 Vails Gate Heights Drive
New Windsor, NY 12553

71-1-22

Leonard & Lucy Hunger
47 Vails Gate Heights Drive
New Windsor, NY 12553

71-1-23

Juvencio & Harriet Johnson Navedo
49 Vails Gate Heights Drive
New Windsor, NY 12553

71-1-24

Frank Robinson
51 Vails Gate Heights Drive
New Windsor, NY 12553

71-1-25.1; 71-1-67

Carmine Pacione
393 Old Forge Hill Road
New Windsor, NY 12553

71-1-25.2

Margaret Foley
55 Vails Gate Heights Drive
New Windsor, NY 12553

71-1-26

Eric Asmann
57 Vails Gate Heights Drive
New Windsor, NY 12553

71-1-27

Sally Scheiner c/o S. Scheiner
9130 Taverna Way
Boyton Beach, FL 33437

71-1-28

Christopher Isaacs & Sandra Jackson
61 Vails Gate Heights Drive
New Windsor, NY 12553

71-1-29
David & Edith Herring
63 Vails Gate Heights Drive
New Windsor, NY 12553

Section 86
Washington Green HOA
1500 Washington Green Clubhouse
New Windsor, NY 12553

71-1-30
Peter & Lucy Martini
P.O. Box 331
Vails Gate, NY 12584

71-1-31.1; 71-1-69
Highland Operating LTD
P.O. Box 479
Washingtonville, NY 10992

71-1-31.2
George Michael Encke
69 Vails Gate Heights Drive
New Windsor, NY 12553

71-1-32
Drena Cocchia
71 Vails Gate Heights Drive
New Windsor, NY 12553

71-1-33
James Kilcullen
999 E. 93rd Street
Brooklyn, NY 11236

71-1-65
Alton & Theresa Christianson
397 Old Forge Hill Rd
New Windsor, NY 12553

71-1-66
Jerline & Zelda Ware
401 Old Forge Hill Road
New Windsor, NY 12553

71-1-68
Emil Mihalco Jr. & Bernice Sopiell
387 Old Forge Hill Road
New Windsor, NY 12553

71-2-1.1; 71-2-1.21; 71-2-1.22; 71-2-1.23
New Windsor Properties, LLC
C/o Peck & Heller
60 East 42nd Street Suite 2301
New York, NY 10165

TOWN OF NEW WINDSOR
REQUEST FOR NOTIFICATION LIST

DATE: 09-23-03 PROJECT NUMBER: ZBA# 03-46 P.B. # _____

APPLICANT NAME: LUIS ROSADO MAISONET

PERSON TO NOTIFY TO PICK UP LIST:

LUIS ROSADO MAISONET
409 OLD FORGE HILL ROAD
NEW WINDSOR, NY 12553

TELEPHONE: 562-1301

TAX MAP NUMBER: SEC. 71 BLOCK 1 LOT 6
SEC. _____ BLOCK _____ LOT _____
SEC. _____ BLOCK _____ LOT _____

PROPERTY LOCATION: 409 OLD FORGE HILL ROAD
NEW WINDSOR, NY

THIS LIST IS BEING REQUESTED BY:

NEW WINDSOR PLANNING BOARD: _____

SITE PLAN OR SUBDIVISION: (ABUTTING AND ACROSS ANY STREET) _____

SPECIAL PERMIT ONLY: (ANYONE WITHIN 500 FEET) _____

AGRICULTURAL DISTRICT:
(ANYONE WITHIN THE AG DISTRICT WHICH IS WITHIN 500'
OF SITE PLAN OR SUBDIVISION PROJECT) _____

❖ ❖

NEW WINDSOR ZONING BOARD XXX

LIST WILL CONSIST OF ALL PROPERTY WITHIN 500 FEET OF PROJECT XXX

❖ ❖

AMOUNT OF DEPOSIT: 25.00 CHECK NUMBER: 1417

TOTAL CHARGES: _____



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4695

ZONING BOARD OF APPEALS

September 29, 2003

Mr. Luis Rosado Maisonet
409 Old Forge Hill Road
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE #03-46

Dear Mr. Maisonet:

This is just to let you know your Notices for Public Hearing were mailed out and the notice was also sent to The Sentinel Newspaper for publication. **PLEASE NOTE: The Sentinel will bill you directly for this add. This is not included in the escrow you posted upon application.**

Your Public Hearing before the Zoning Board of Appeals for your requested variance at:

409 Old Forge Hill Road
New Windsor, NY

is scheduled for the October 27th, 2003 agenda.

This meeting starts at 7:30 p.m. and is held in the Town Meeting Room at Town Hall. If you have any questions or concerns in this matter, please feel free to contact me.

Very truly yours,

Myra Mason, Secretary
Zoning Board of Appeals

MLM:mlm



September 22, 2003

ZBA # 03-46
P.B.#

APPROVED: M) _____ S) _____ VOTE: A _____ N _____
 RIVERA _____
 MCDONALD _____ CARRIED: Y _____ N _____
 REIS _____
 MINUTA _____
 KANE _____

CARRIED: Y_____ N_____

CARRIED: Y_____N_____.

[illegible]

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

RECEIPT OF ESCROW RECEIVED:

DATE RECEIVED: 09-22-03

FOR: #03-46 ESCROW

FROM: LUIS ROSADO MAISONET

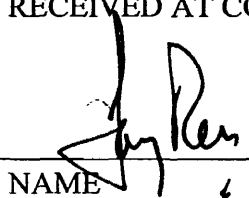
409 OLD FORGE HILL ROAD

NEW WINDSOR, NY 12553

CHECK NUMBER: 1415

AMOUNT: 300.00

RECEIVED AT COMPTROLLER'S OFFICE BY:


NAME _____ DATE 9/25/03

PLEASE RETURN SIGNED COPY TO MYRA FOR FILING

THANK YOU

**Town of New Windsor
555 Union Avenue
New Windsor, NY 12553
(845) 563-4611**

**RECEIPT
#923-2003**

09/25/2003

Maisonet, Luis *# ZBA 03-46*

**Received \$ 50.00 for Zoning Board Fees, on 09/25/2003. Thank you for
stopping by the Town Clerk's office.**

As always, It is our pleasure to serve you.

**Deborah Green
Town Clerk**



TOWN OF NEW WINDSOR
555 UNION AVENUE
NEW WINDSOR, NY 12553
(845) 563-4615 (MYRA MASON)



ZONING BOARD PROCEDURES

**PLEASE READ PAGE ONE AND TWO OF THIS PACKAGE AND SIGN PAGE TWO
IT EXPLAINS THE PROCEDURE TO BE FOLLOWED FOR YOUR APPLICATION.**

PLEASE COMPLETE THE ATTACHED APPLICATION FORMS WHERE IT APPLIES TO YOUR SITUATION AND RETURN TO MYRA MASON (845-563-4615) AT THE ZONING BOARD OFFICE (LOCATED IN THE PLANNING BOARD & ENGINEERING OFFICE IN TOWN HALL) WITH THREE CHECKS MADE PAYABLE TO "THE TOWN OF NEW WINDSOR" AS FOLLOWS:

RESIDENTIAL: (Three Separate Checks Please)

APPLICATION FEE:	\$ 50.00
*ESCROW:	\$300.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

MULTI-FAMILY: (Three Separate Checks Please)

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

COMMERCIAL: (Three Separate Checks Please)

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

INTERPRETATION: (Three Separate Checks Please)

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

YOU WILL THEN BE SCHEDULED FOR THE NEXT AVAILABLE AGENDA FOR YOUR "PRELIMINARY MEETING".

*

ESCROW

IS TO COVER OUTSIDE PROFESSIONAL FEES SUCH AS ZBA ATTORNEY FEE, MINUTES OF YOUR PORTION OF THE MEETING, ETC. THE BALANCE WILL BE RETURNED TO YOU UPON CLOSING FILE.

THE APPLICANT WILL BE BILLED DIRECTLY FOR THE PUBLIC HEARING ADVERTISEMENT IN THE "SENTINEL NEWSPAPER"

**

LIST OF PROPERTY OWNERS
WITHIN 500 FT. RADIUS OF
PROPERTY IN QUESTION:

APPROXIMATE COST FOR
PUBLIC HEARING LIST:

1-10 NAMES	25.00
11-20 NAMES	35.00
21-30 NAMES	45.00
31-40 NAMES	55.00
41-50 NAMES	65.00
51-60 NAMES	75.00
61-70 NAMES	85.00
71-80 NAMES	95.00
81-90 NAMES	105.00
91-100 NAMES	115.00

ANYTHING OVER 100 NAMES
IS \$1.00 EA. ADDITIONAL
NAME

FOLLOWING YOUR PRELIMINARY MEETING, THE ZONING BOARD SECRETARY WILL ORDER YOUR "PUBLIC HEARING LIST" FROM THE ASSESSOR'S OFFICE.

1. WHEN THE ASSESSOR'S OFFICE NOTIFIES YOU THAT YOUR LIST IS READY, YOU MUST COME IN AND PAY THE BALANCE DUE FOR THE LIST. (THIS WILL BE PREPARED ON LABELS FOR YOUR CONVENIENCE).
2. PREPARE AN ENVELOPE (self-sealing envelopes are much appreciated) FOR EACH LABEL WITH YOUR RETURN ADDRESS AND A REGULAR \$.37 STAMP. BRING THE PREPARED ENVELOPES AND A COPY OF THE LIST TO THE ZONING BOARD SECRETARY FOR MAILING. YOUR PUBLIC HEARING DATE WILL BE SCHEDULED AT THIS TIME.

NOTE:

IF IT IS EASIER FOR YOU, YOU CAN BRING THE ENVELOPES WITH YOU WHEN YOU PICK UP AND PAY FOR YOUR LIST. YOU CAN PUT THE LABELS ON AT THAT TIME AND BRING THEM TO THE ZBA OFFICE FOR COMPLETION.

*** * MUST READ AND SIGN * ***

I UNDERSTAND THAT I WILL BE BILLED DIRECTLY FOR MY "LEGAL NOTICE" TO BE PUBLISHED IN THE SENTINEL NEWSPAPER FOR MY PUBLIC HEARING....(this charge is not deducted from your escrow posted).

Luis Lopez
SIGNATURE

09-16-03
DATE

NOTE:

THE ZBA MEETS ON THE 2ND AND 4TH MONDAY OF EACH MONTH UNLESS A HOLIDAY FALLS ON THAT DATE. (JULY AND AUGUST – ONE MEETING PER MONTH ONLY)



**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**



APPLICATION FOR VARIANCE

09-15-03

Date

Application Type: Use Variance ☒ Area Variance ☒
Sign Variance ☐ Interpretation ☐

I. **Owner Information:** Phone Number: (845) 562-1301
LUIS & JEANINE ROSADO-MAISONET Fax Number: ()
(Name)
409 OLD Forge Hill Rd. New Windsor, N.Y. 12553
(Address)

II. **If Moving to New Address, please list forwarding address for return of escrow:**
Phone Number: ()
(Name) Fax Number: ()
(Address)

III. **Attorney:** Phone Number: ()
NONE Fax Number: ()
(Name)
(Address)

IV. **Contractor/Engineer/Architect/Surveyor/:** Phone Number ()
SELF Fax Number: ()
(Name)
(Address)

V. **Property Information:**
Zone: R-5 Property Address in Question: 409 OLD Forge Hill Rd.
Lot Size: 20' x 33' Tax Map Number: Section 71 Block 1 Lot 6
a. What other zones lie within 500 feet? _____
b. Is pending sale or lease subject to ZBA approval of this Application? NO
c. When was property purchased by present owner? Yes
d. Has property been subdivided previously? NO If so, When: N/A
e. Has an Order to Remedy Violation been issued against the property by the
Building/Zoning/Fire Inspector? NO
f. Is there any outside storage at the property now or is any proposed? NO

****PLEASE NOTE:****

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE
OF SUBMITTAL.**

COMPLETE THIS PAGE ☐

**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**

APPLICATION FOR VARIANCE - continued

VI. USE VARIANCE:

Use Variance requested from New Windsor Zoning Local Law,

Section _____, Table of _____ Regs., Col. _____.

Describe proposal:

12'x12' Attached Rear Deck.

- VII. The legal standard for a "Use Variance" is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the Use Variance is granted. Also state any efforts you have made to alleviate the hardship other than this application.**

to go (with all necessary items for cooking a meal)
through a hallway from kitchen to front of house; down
two sections of stairs, then through hallway to the back of
the house and up a set of stairs to reach the outside area
is a hardship with the inherent safety and injuries that could
happen.

As the result of the above we have not (for 4 years)
enjoyed a pleasant meal outdoors.

PLEASE NOTE:

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

COMPLETE THIS PAGE ☐

**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**

APPLICATION FOR VARIANCE - continued

VIII. AREA VARIANCE: (This information will be on your Building Department Denial form you receive)

Area Variance requested from New Windsor Zoning Local Law,

<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area		
Min. Lot Width		
Reqd. Front Yd.		
Reqd. Side Yd. <u>35</u>	<u>2</u>	<u>33</u>
Reqd. Rear Yd. <u>100'</u>	<u>17'</u>	
Reqd. St Front*		
Min. Floor Area*		
Dev. Coverage*		
Floor Area Ration**		
Parking Area		

*Residential Districts Only

**Non-Residential Districts Only

PLEASE NOTE:

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

COMPLETE THIS PAGE ☐

**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**

APPLICATION FOR VARIANCE - continued

- IX. In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3) whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created.

After reading the above paragraph, please describe why you believe the ZBA should grant your application for an Area Variance:

By GRANTING the Requested VARIANCE
we will be able to ENJOY the pleasure of the outside by
GOING DIRECTLY FROM KITCHEN to DECK. AND AVOIDING GOING THROUGH
the HOUSE down STAIRS AND UP STAIRS.
Putting up A deck will RATHER ENHANCE OUR Neighborhood;
As it is NOW OUR Neighborhood is MORE OF A FOREST WITH
ALL The wild GROWN trees WITHOUT CONTROL.

PLEASE NOTE:

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

XII. ADDITIONAL COMMENTS:

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaped, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)
there is definitely NO adverse detriment to
our neighbors in building this deck, it will by
all means enhance the appearance of our community.

XIII. ATTACHMENTS REQUIRED:

- ☐ Copy of contract of sale, lease or franchise agreement. Copy of deed and title policy.
- ☐ Copy of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- ☐ Copies of signs with dimensions and location.
- ☐ Three checks: (each payable to the TOWN OF NEW WINDSOR)
- ☐ One in the amount of \$ 300.00 or 500.00, (escrow)
- ☐ One in the amount of \$ 50.00 or 150.00, (application fee)
- ☐ One in the amount of \$ 25.00, (Public Hearing List Deposit)
- ☐ Photographs of existing premises from several angles. (IF SUBMITTING DIGITAL PHOTOS PRINTED FROM COMPUTER – PLEASE SUBMIT FOUR(4) SETS OF THE PHOTOS.)

XIV. AFFIDAVIT.

STATE OF NEW YORK)

) SS.:

COUNTY OF ORANGE)

The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/her information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.

Sworn to before me this:

16th day of September 2003.

DEBORAH GREEN
Notary Public, State of New York
Qualified in Orange County
4984065
Commission Expires July 15, 2007

Deborah Green
Signature and Stamp of Notary

Luis Rosado Maisonet
Owner's Signature (Notarized)

ROSADO-MAISONET Luis
Owner's Name (Please Print)

Applicant's Signature (If not Owner)

PLEASE NOTE:

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

COMPLETE THIS PAGE ☐

SCHEDULE A

Title No. 233

ALL that certain lot, piece or parcel of land, situate in the Town of New Windsor, County of Orange, State of New York, shown and designated as parts of lot 59 and 58 in Block A, on a certain map entitled "Old Windsor Estates, Town of New Windsor, Orange County, N.Y.", dated April 20, 1965 made by Henry Horowitz, filed in the office of the Clerk of Orange County on December 3, 1965, in Book 4, page 40, as Map No. 2172, and being more accurately bounded and described as follows:

BEGINNING at a point on the southwesterly side of Old North Road, said point of beginning being located the following courses and distances from a point of curvature, said point of curvature being the easterly end of the curve which connects the southwesterly line of Old North Road with the southerly line of a proposed road leading into Old Windsor Estates Subdivision, named Old Windsor Drive on said map, S. 47-21-24 E. 22.76 feet and S. 37-00-56 E. 80.67 feet; thence from said point of beginning and along the southwesterly line of Old North Road, S. 37-00-56 East 20.0 feet to a point; thence through lands of Old Windsor Estates on the next three courses and distances; S. 52-59-04 West, part of the distance through a party wall, 105.0 feet to a point; thence N. 37-00-56 West 20.0 feet to a point; thence N. 52-59-04 East, part of the distance through a party wall, 105.0 feet to the southwesterly side of Old North Road to the point of beginning.

BEING the same premises described in a deed from Ada G. Margolin to John Dunston and Alma Dunston dated April 18, 1975 and recorded in the Orange County Clerk's Office on April 18, 1975 in Liber 2005 of Deeds at page 444.

BEING the same premises described in a deed from John Dunston and Alma Dunston to Luis Rosado-Maisonet and Jeanine Rosado-Maisonet dated this day and intended to be recorded in the Orange County Clerk's Office simultaneously herewith.

+ The premises herein described are or will be improved by a one or two family dwelling only.

This is a first purchase money mortgage.

INITIAL HERE

Sh

LIBER 2648 PAGE 63